

TOWNSEND and TOWNSEND and CREW LLP  
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San Francisco, California 94111-3834  
(415) 576-0200

In re application of: Benz *et al.*

Application No.: 08/978,217

Filed: November 25, 1997

Group Art Unit: Unassigned

For: NEW ETS RELATED GENE OVEREXPRESSED IN  
HUMAN BREAST AND EPITHELIAL CANCERS

THE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Attorney Docket No. 2307E-711-1U  
Client Ref No. 96-351-2

Date: April 02, 1998

I hereby certify that this is being deposited with the United States  
Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

Date: April 2, 1998  
Judea Pearce



Sir:

Transmitted herewith is a preliminary amendment in the above-identified application.

☒ Paper copy and computer readable copy of the sequence listing.

☐

If any extension of time is needed, then this response should be considered a petition therefor.

The filing fee has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)		
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	* 81	MINUS	** 81	= 0
INDEP.	* 20	MINUS	*** 20	= 0
[ ] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY

RATE	ADDIT. FEE
x \$11.00 =	\$0.00
x \$41.00 =	\$0.00
+ \$135.00 =	
TOTAL ADDIT. FEE	\$0.00

OTHER THAN  
SMALL ENTITY

RATE	ADDIT. FEE
x \$22.00 =	
x \$82.00 =	
+ \$270.00 =	
TOTAL	

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, then write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

☒ No fee is due.

Please charge Deposit Account No. 20-1430 as follows:

☐ Claims fee \$  
☒ Any additional fees associated with this paper or during the pendency of this application.

2 extra copies of this sheet are enclosed.

TOWNSEND and TOWNSEND and CREW LLP

Tom Hunter  
Tom Hunter, Reg. No.: 38,498  
Attorneys for Applicant

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APR 09 1998

MAIL ROOM

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on April 2, 1998



#3/Pu-A  
AR  
02/11/99

TOWNSEND and TOWNSEND and CREW LLP

By Judith Secorey

PATENT  
Attorney Docket No. 02307E-071110

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Christopher C. Benz, Gary K. Scott, and  
Chuan-Hsiung Chang

Serial No.: 08/978,217

Filed: November 25, 1997

For: A NEW ETS-RELATED GENE  
OVEREXPRESSED IN HUMAN BREAST  
AND EPITHELIAL CANCERS

Examiner: Unassigned

Art Unit: Unassigned

**COMMUNICATION UNDER 37  
C.F.R. §§ 1.821-1.825 AND  
PRELIMINARY AMENDMENT**

Box SEQUENCE  
Assistant Commissioner for Patents  
Washington, D.C. 20231

APR 09 1998

Sir:

In order to comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, 37 C.F.R. §§ 1.821-1.825, Applicants submit herewith the required paper copy and computer readable copy of the sequence listing. Please amend the specification in adherence with 37 C.F.R. §§ 1.821-1.825 as follows.

**IN THE SPECIFICATION:**

✓  
On page 3, line 23, replace "SEQ ID NO:3" with --SEQ ID NO:2--.

✓  
On page 11, line 2, replace "SEQ ID NO:3" with --SEQ ID NO:2--.

✓  
On page 16, line 19, insert --(SEQ ID NO:1)-- after "shows the nucleotide".

✓  
On page 16, line 19, insert --(SEQ ID NO:2)-- after "deduced amino acid".

✓  
On page 16, line 24, insert --(SEQ ID NO:2)-- after "ESX cDNA".